

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ronald K. Yamamoto et al.

Attorney Docket No.: DEYP002C1

Application No.: 09/782,794

Examiner: Javier G. Blanco

Filed: February 13, 2001

Group: 3738

Title: BONE GRAFTING MATRIX

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 8, 2004 in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Valerie Olsen
Valerie Olsen

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Statement Of Reasons For Allowance, the examiner states that the prior art does not disclose "a matrix . . . wherein said mineral is immobilized within said matrix composition by said cross-linked binder." Applicants agree that immobilization of the mineral by the cross-linked binder is achieved in the claimed compositions and compositions recited in the claims, and that the prior art does not show this. However, with respect to claims 19-20, 24 and 25, immobilization of the mineral is also due in part to the precipitation of mineral onto the biopolymer fibers. The prior art does not show mineralized biopolymer fibers bound in a matrix by a cross-linked binder. This is a further reason for the patentability of claims 19-20, 24 and 25.

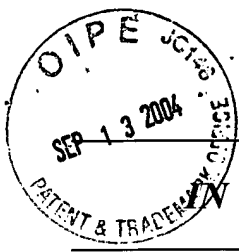
Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

Date: September 8, 2004

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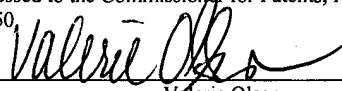
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**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
(37 CFR §1.27(g)(2))**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is no longer desirous of small entity status and that the claim for small entity status is hereby withdrawn. This notice is being filed prior to paying, or at the time of paying, the issue fee or a maintenance fee, whichever fee is first due after the date on which small entity status is no longer appropriate.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



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